

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

SCANSOFT, INC.,

Plaintiff,

V.

C.A. No. 04-10353-PBS

VOICE SIGNAL TECHNOLOGIES, INC.,
LAURENCE S. GILLICK, ROBERT S.
ROTH, JONATHAN P. YAMRON, and
MANFRED G. GRABHERR,

Defendants.

**MOTION FOR LEAVE TO FILE SUR-REPLY IN FURTHER SUPPORT OF
OPPOSITION TO SCANSOFT’S MOTION TO COMPEL PRODUCTION OF
COMPLETE “FIRST-YEAR” SOURCE CODE AND FOR SANCTIONS**

Defendant Voice Signal Technologies, Inc. (“Voice Signal”) moves, pursuant to Local Rule 7.1(B)(3), for leave to file a short, three-page sur-reply further supporting its Opposition to ScanSoft’s Motion to Compel Production of Complete “First-Year” Source Code and for Sanctions, solely for the purpose of addressing inaccurate statements made by ScanSoft, Inc. in its Reply. Voice Signal believes that the sur-reply, attached hereto as **Exhibit A**, will aid the Court in its determination of the issues presented in the parties’ papers.

WHEREFORE, Voice Signal respectfully requests leave of Court to file a sur-reply in the form attached as **Exhibit A**, and for the sur-reply to be deemed filed upon allowance of this motion.

Respectfully submitted,

LAURENCE S. GILICK, ROBERT S. ROTH,
JONATHAN P. YAMRON, MANFRED G.
GRABHERR and VOICE SIGNAL
TECHNOLOGIES, INC.

By their attorneys,

/s/ Wendy S. Plotkin
Robert S. Frank, Jr. (BBO No. 177240)
Sarah Chapin Columbia (BBO No. 550155)
Paul D. Popeo (BBO No. 567727)
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March 9, 2006

Certification Pursuant to Local Rule 7.1

I certify that counsel for Voice Signal attempted to confer with counsel for ScanSoft in an effort to resolve the issues presented in this motion and that the parties were not able to reach agreement on the issue presented in this Motion.

/s/ Wendy S. Plotkin

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on March 9, 2006.

/s/ Wendy S. Plotkin
Wendy S. Plotkin